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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/086,908

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Will G. Fetherolf

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04/22/2005

HEWLETT-PACKARD COMPANY

Intellectual Property Administration

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EXAMINER

LIANG, LEONARD S

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/086,908

Applicant(s)

FETHEROLF, WILL G.

Examiner

Leonard S. Liang

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01/18/05.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29,31,32,34-55 and 58-71 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 64-71 is/are allowed.
- 6) ☒ Claim(s) 29,31,32,34-40,44-48,50-52,54,55 and 58-61 is/are rejected.
- 7) ☒ Claim(s) 41-43,49,53,62 and 63 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 34-35 and 39-41 are objected to because of the following informalities:

Claim 34 was previously dependent on claim 33. It has been amended to depend on claim 29. Now, claims 34-35 are identical. One of the claims must be cancelled.

Claim 39 discloses "wherein the support is configured to wraps around..." This is not proper grammar. It will be construed that the claim should read "wherein the support is configured to wraps around..."

Claim 40 discloses "wherein the support is configured to extends opposite..." This is not proper grammar. It will be construed that the claim should state "wherein the support is configured to extend opposite..."

Claim 41 discloses "the support is configured to couples..." This is not proper grammar. It will be construed that the claim should state "the support is configured to couple..."

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

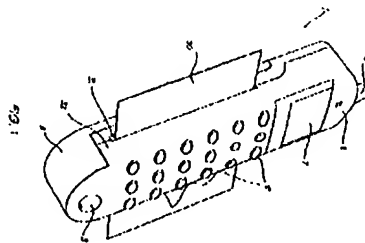
NOTE: For the purposes of this rejection, figure 1 of Silverbrook et al will be viewed in an orientation 90° to the orientation shown in the figure. The reoriented figure 1 is shown below.

Art Unit: 2853

Claims 29, 31-32, 34-40, 44, 54, 58-59, and 61 rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al (US Pat 6628430) in view of Miyamoto et al (JP Pat 2000-184911).

Silverbrook et al discloses:

- {claim 29} A media processing device (figure 1); a media processing engine having an outer housing with a media input along a first external face of the housing and configured such that a portion of a medium extends outwardly beyond the input as the medium is being mechanically fed towards the engine and an output along a second external face of the housing, wherein the first face and the second face are opposite one another (figure 1)



- {claim 31} wherein the device, when vertically oriented, has a height, a width, and a depth, wherein the first face and the second face each define the width and the depth of the engine and wherein the depth is smaller than the height and the width (figure 1)
- {claim 32} wherein the device has a straight-through media path (figure 1)
- {claims 34-35} wherein the media output is configured to discharge media while the media is in a vertical orientation (figure 1)

- {claim 44} wherein the media input comprises an external slot configured to enable individual sheets of media to be manually fed into the slot (figure 1)
- {claim 54} wherein the media processing engine is configured to print upon the media (abstract)
- {claim 58} A media processing device (figure 1); a media processing engine having a media input along a first external face of the device and configured such that a portion of a medium extends outwardly beyond the input as the medium is being mechanically fed towards the engine and an output along a second external face of the device opposite the first external face, wherein the media input is configured to receive media while the media is in a vertical orientation (figure 1)
- {claim 59} A method for processing media (figure 1); device having a media processing engine (figure 1); mechanically feeding media through a media input along an external face of the device to the engine while the media is substantially vertical (figure 1); printing upon the media (abstract); discharging the printed upon media out an external media output opposite the external media input from the engine while the media is in the substantially vertical orientation (figure 1)
- {claim 61} holding the ejected media below the media output (figure 1, reference 30)

Silverbrook et al differs from the claimed invention in that it does not disclose:

- {claim 29} a structure having a first vertical surface with an upper most extremity; a support coupled to the engine and configured to couple the engine to the structure such that the media output is below the uppermost extremity of the

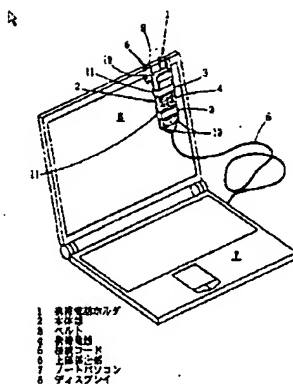
first vertical surface, wherein the media input is configured to receive media while the media is in a vertical orientation

- {claim 36} wherein the support is configured to couple the engine to the structure such that the media input is below the uppermost extremity of the first vertical surface
- {claim 37} wherein the structure has a top along the uppermost extremity of the vertical surface and wherein the support is configured to extend opposite the top
- {claim 38} wherein the support extends opposite the first vertical surface
- {claim 39} wherein the structure has a second vertical surface opposite the first vertical surface, wherein the top extends between the first vertical surface and the second vertical surface and wherein the support is configured to wrap around the structure to extend opposite the second vertical surface
- {claim 40} wherein the structure has a second vertical surface opposite the first vertical surface, wherein the top extends between the first vertical surface and the second vertical surface and wherein the support is configured to extend opposite the second vertical surface
- {claim 58} a vertical surface; means for supporting the device relative to the vertical surface such that the media output is below an uppermost extremity of the vertical surface
- {claim 59} supporting a device along a vertical surface

Miyamoto et al discloses:

Art Unit: 2853

- {claim 29} a structure having a first vertical surface with an upper most extremity (figure 1); a support coupled to the engine and configured to couple the engine to the structure (figure 1, reference 6)



- {claim 58} a vertical surface (figure 1, reference 6); means for supporting the device relative to the vertical surface (figure 1, reference 6)
- {claim 59} supporting a device along a vertical surface (figure 1, reference 6)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Miyamoto et al into the invention of Silverbrook et al. The motivation for the skilled artisan in doing so is to gain the benefit of providing a vertical supporting means for the media processing device, so that it does not have to be held in the hand all the time. The motivation for the skilled artisan in doing so is to gain the benefit of coupling the engine to the structure such that the media output is below the uppermost extremity of the first vertical surface, wherein the media input is configured to receive media while the media is in a vertical orientation; wherein the support is configured to couple the engine to the structure such that the media input is below the uppermost extremity of the first vertical surface; wherein the structure has a top along the uppermost extremity of the vertical

Art Unit: 2853

surface and wherein the support is configured to extend opposite the top; wherein the support extends opposite the first vertical surface; wherein the structure has a second vertical surface opposite the first vertical surface, wherein the top extends between the first vertical surface and the second vertical surface and wherein the support is configured to wrap around the structure to extend opposite the second vertical surface; wherein the structure has a second vertical surface opposite the first vertical surface, wherein the top extends between the first vertical surface and the second vertical surface and wherein the support is configured to extend opposite the second vertical surface.

Claims 45-46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al (US Pat 6628430) in view of Miyamoto et al (JP Pat 2000-184911), as applied to claims 29, 31-32, 34-40, 44, 54, 58-59, and 61 above, and further in view of Khormaee (US Pat 5397192).

Silverbrook et al, as modified, discloses:

- {claim 46} wherein the engine, when vertically oriented, has a height, width, and depth and wherein the depth is smaller than the height and width (figure 1)

Silverbrook et al, as modified, differs from the claimed invention in that it does not disclose:

- {claim 45} wherein the media input is configured to receive media having a width of at least 8 inches

Khormaee discloses "Printers are often called upon to print on a wide variety of recording media having different widths and printing surfaces. Common recording media include standard 8.5X11 inch paper..." (column 1, lines 53-57).

Art Unit: 2853

In light of this teaching, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Khormae into the invention of modified Silverbrook et al so that the media input can be configured to receive media having a width of at least 8 inches. The motivation for the skilled artisan in doing so is to gain the benefit of increasing printer versatility; the benefits of printing on media such as standard 8.5X11 inch paper are well known to one of ordinary skill in the art.

Claims 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al (US Pat 6628430) in view of Miyamoto et al (JP Pat 2000-184911), as applied to claims 29, 31-32, 34-40, 44, 54, 58-59, and 61 above, and further in view of Kikuchi (US Pat 5929894).

Silverbrook et al, as modified, teaches all limitations of the claimed invention except for the following:

- {claim 47} the engine includes a photoconductive drum.

Kikuchi discloses a photoconductive drum (figure 1, reference 16).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the printing system disclosed by modified Silverbrook et al with the printing system disclosed by Kikuchi. The motivation for the skilled artisan in doing so is to gain the benefit of effecting faster print speeds.

Claims 48, 50-52, 55, and 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook et al (US Pat 6628430) in view of Miyamoto et al (JP Pat 2000-184911), as

Art Unit: 2853

applied to claims 29, 31-32, 34-40, 44, 54, 58-59, and 61 above, and further in view of Silverbrook et al (US Pat 6290349).

Silverbrook (US Pat 6628430), as modified, teaches all limitations of the claimed invention except for the following:

- {claim 48} including a media receiver proximate the media output
- {claim 50} wherein the receiver receives media from the media output while the media is in a substantially vertical orientation and holds the media in a substantially vertical orientation
- {claim 51} wherein the receiver is configured to support the media in a tilted orientation directed away from the vertical surface
- {claim 52} wherein the receiver is configured to support the media such that at least a portion of the media extends beyond a front of the print engine opposite the vertical surface
- {claim 55} wherein the media input is configured to receive an individual sheet of media from a stack of media positioned proximate the input
- {claim 60} positioning a stack of individual sheets of media proximate to the media input

Silverbrook et al (US Pat 6290349) discloses:

- {claim 48} including a media receiver proximate the media output (figure 2, reference 619)

Art Unit: 2853

- {claim 55} wherein the media input is configured to receive an individual sheet of media from a stack of media positioned proximate the input (figure 2, reference 604)
- {claim 60} positioning a stack of individual sheets of media proximate to the media input (figure 2, reference 604)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Silverbrook et al (US Pat 6290349) into the invention of modified Silverbrook et al (US Pat 6628430). The motivation for the skilled artisan in doing so is to gain the benefit of providing a media receiver to catch the output media, as well as to provide a media cartridge, so that media do not need to be fed manually. The combination naturally suggests the receiver receives media from the media output while the media is in a substantially vertical orientation and holds the media in a substantially vertical orientation; the receiver is configured to support the media in a tilted orientation directed away from the vertical surface; and the receiver is configured to support the media such that at least a portion of the media extends beyond a front of the print engine opposite the vertical surface.

Allowable Subject Matter

Claims 41-43, 49, 53, and 62-63 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 41 discloses “wherein the support is movable between a first position in which the support is configured to couple the engine to the structure along the first vertical surface by

Art Unit: 2853

wrapping around a top of the structure and a second position in which the support rests upon a horizontal surface while inclining at least a portion of the engine above the horizontal surface,” which was not found, taught, or disclosed in the prior arts.

Claim 42 discloses “wherein the support is moveable between a first position in which a majority of the support extends beyond the media input and a second position in which the majority of the support extends between the media input and the media output,” which was not found, taught, or disclosed in the prior arts.

Claim 43 depends from objected claim 42.

Claim 49 discloses “wherein the media receiver pivots between a first position in which the receiver hangs below the media output and a second position in which the receiver is adapted to rest upon a horizontal surface,” which was not found, taught, or disclosed in the prior arts.

Claim 53 discloses “wherein the support is pivotably coupled to the engine,” which was not found, taught, or disclosed in the prior arts.

The reasons for objecting to claims 62-63 were discussed in the previous action.

Claims 64-71 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 29, 31-32, 34-55, and 58-71 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sides, II discloses a preformed paper catching tray for electronic printers and other devices.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S. Liang whose telephone number is (571) 272-2148. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2853

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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4/18/05
MANISH S. SHAH
PRIMARY EXAMINER